

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MICHAEL EDGING,

Plaintiff(s),

vs.

C. R. BARD, INC. and BARD
PERIPHERAL VASCULAR, INC.

Defendant(s).

Case #2:21-cv-00322-RFB-BNW

**VERIFIED PETITION FOR
PERMISSION TO PRACTICE
IN THIS CASE ONLY BY
ATTORNEY NOT ADMITTED
TO THE BAR OF THIS COURT
AND DESIGNATION OF
LOCAL COUNSEL**

FILING FEE IS \$250.00

Casey Shpall, Petitioner, respectfully represents to the Court:
(name of petitioner)

1. That Petitioner is an attorney at law and a member of the law firm of

Greenberg Traurig, LLP
(firm name)

with offices at 1144 15th Street, Suite 3300,
(street address)

Denver, Colorado, 80202,
(city) (state) (zip code)

303-572-6500, shpallc@gtlaw.com,
(area code + telephone number) (Email address)

2. That Petitioner has been retained personally or as a member of the law firm by
C. R. Bard, Inc., Bard Peripheral Vascular, Inc. to provide legal representation in connection with
[client(s)]

the above-entitled case now pending before this Court.

3. That since October 26, 1981, Petitioner has been and presently is a
 (date)
 member in good standing of the bar of the highest Court of the State of Colorado
 (state)
 where Petitioner regularly practices law. Petitioner shall attach a certificate from the state bar or
 from the clerk of the supreme court or highest admitting court of each state, territory, or insular
 possession of the United States in which the applicant has been admitted to practice law certifying
 the applicant's membership therein is in good standing. See Exhibit A.

4. That Petitioner was admitted to practice before the following United States District
 Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts
 of other States on the dates indicated for each, and that Petitioner is presently a member in good
 standing of the bars of said Courts.

Court	Date Admitted	Bar Number
United States Supreme Court	January 14, 2000	
U.S. Court of Appeals for District of Columbia	March 13, 1981	
U.S. Court of Appeals for the Tenth Circuit	April 21, 1982	
U.S. Court of Appeals for the Ninth Circuit	December 2, 1982	
United States District Court, District of Colorado	October 28, 1981	
State of Colorado	October 16, 1981	11538

5. That there are or have been no disciplinary proceedings instituted against petitioner,
 nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory
 or administrative body, or any resignation or termination in order to avoid disciplinary or
 disbarment proceedings, except as described in detail below:

None

6. That Petitioner has never been denied admission to the State Bar of Nevada. (Give particulars if ever denied admission):

None

7. That Petitioner is a member of good standing in the following Bar Associations.

None

8. Petitioner has filed application(s) to appear as counsel under Local Rule IA 11-2 (formerly LR IA 10-2) during the past three (3) years in the following matters: (State "none" if no applications.)

Date of Application	Cause	Title of Court Administrative Body or Arbitrator	Was Application Granted or Denied
See Exhibit B			
See Exhibit C			

(If necessary, please attach a statement of additional applications)

9. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the State of Nevada with respect to the law of this state governing the conduct of attorneys to the same extent as a member of the State Bar of Nevada.

10. Petitioner agrees to comply with the standards of professional conduct required of the members of the bar of this court.

11. Petitioner has disclosed in writing to the client that the applicant is not admitted to practice in this jurisdiction and that the client has consented to such representation.

1 That Petitioner respectfully prays that Petitioner be admitted to practice before this Court
 2 FOR THE PURPOSES OF THIS CASE ONLY.

3
 4 STATE OF Colorado)
 5 COUNTY OF Denver)
 6

Casey Shpall
 Petitioner's signature

7 Casey Shpall, Petitioner, being first duly sworn, deposes and says:
 8 That the foregoing statements are true.

9
 10 Subscribed and sworn to before me this

Casey Shpall
 Petitioner's signature

11 23rd day of March, 2021

12
 13 HdL
 14 Notary Public or Clerk of Court

MELISSA HOPE WATKINS
 NOTARY PUBLIC
 STATE OF COLORADO
 NOTARY ID 20074022558
 MY COMMISSION EXPIRES JULY 25, 2023

15
 16 **DESIGNATION OF RESIDENT ATTORNEY ADMITTED TO**
 17 **THE BAR OF THIS COURT AND CONSENT THERETO.**

18 Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner
 19 believes it to be in the best interests of the client(s) to designate Eric W. Swanis,
 20 (name of local counsel)
 21 Attorney at Law, member of the State of Nevada and previously admitted to practice before the
 22 above-entitled Court as associate resident counsel in this action. The address and email address of
 23 said designated Nevada counsel is:

24 Greenberg Traurig, LLP, 10845 Griffith Peak Drive, Suite 600,
 25 (street address)
 26 Las Vegas, Nevada, 89135,
 27 (city) (state) (zip code)
 28 702-792-3773, swanise@gtlaw.com,
 (area code + telephone number) (Email address)

1 By this designation the petitioner and undersigned party(ies) agree that this designation constitutes
2 agreement and authorization for the designated resident admitted counsel to sign stipulations
3 binding on all of us.
4

5 **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

6
7 The undersigned party(ies) appoint(s) Eric W. Swanis as
8 his/her/their Designated Resident Nevada Counsel in this case.
9

10 /s/ Candace Camarata
11 (party's signature)

12 Candace Camarata, Associate General Counsel, Litigation
13 (type or print party name, title)

14 _____
15 (party's signature)

16 _____
17 (type or print party name, title)

18 **CONSENT OF DESIGNEE**

19 The undersigned hereby consents to serve as associate resident Nevada counsel in this case.

20 
21 Designated Resident Nevada Counsel's signature

22 6840 swanise@gtlaw.com
23 Bar number Email address

24 **APPROVED:**

25 **DATED this** 25th day of March, 2021.


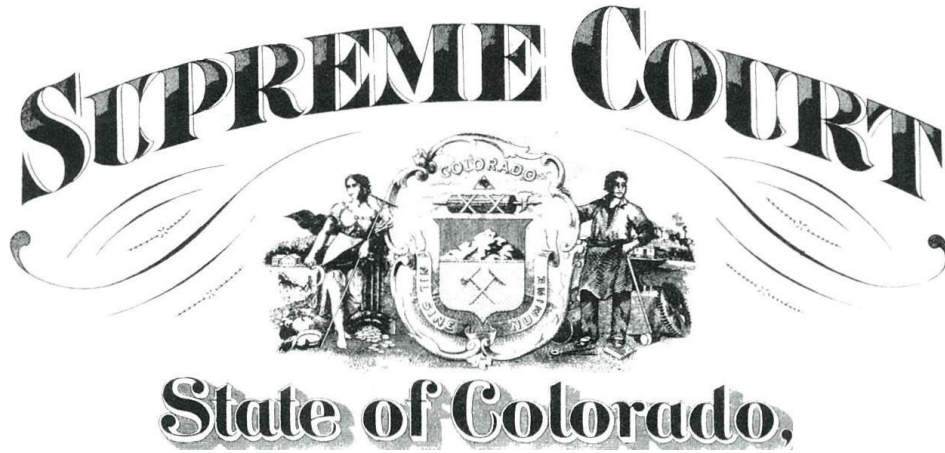
26 
27 **RICHARD F. BOULWARE, II**
28 **United States District Judge**

EXHIBIT A



STATE OF COLORADO, ss:

I, **Cheryl Stevens**, Clerk of the Supreme Court of the State
of Colorado, do hereby certify that

CASEY SHPALL

has been duly licensed and admitted to practice as an

ATTORNEY AND COUNSELOR AT LAW

*within this State; and that his/her name appears upon the Roll of Attorneys
and Counselors at Law in my office of date the 26th*

*day of October A.D. 1981 and that at the date hereof
the said **CASEY SHPALL** is in good standing at this Bar.*



IN WITNESS WHEREOF, I have hereunto subscribed my name and
affixed the Seal of said Supreme Court, at Denver, in said State, this

23rd day of **March** A.D. **2021**

Cheryl Stevens

Clerk

By

Deputy Clerk



Certificate of Good Standing and No Disciplinary History

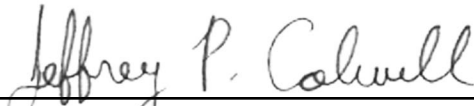
United States District Court
District of Colorado

I, Jeffrey P. Colwell, Clerk of the United States District Court
DO HEREBY CERTIFY

CASEY ANN SHPALL

was admitted to practice in this court on
October 28, 1981
and is in good standing with no disciplinary history.

Dated: March 18, 2021



Jeffrey P. Colwell, Clerk

EXHIBIT B

EXHIBIT B**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA**

**Casey Shpall's Previously Filed
Petitions for Permission to Practice in This Case Only by
Attorney Not Admitted to the Bar of This Court**

CASE NAME/STATUS	CASE #	DATE FILED/GRANTED [DOC No.]
Perry v. C. R. Bard, Inc., et al.	2:19-cv-01570-APG-BNW	Filed 10/4/19 [15]; Granted 10/7/19 [18]
Smith v. C. R. Bard, Inc., et al. Dismissed w/o Prejudice (3/11/2020)	2:19-cv-01576-RFB-BNW	Filed 10/4/19 [13]; Granted 10/31/19 [18]
Singer v. C. R. Bard, Inc., et al.	2:19-cv-01579-JCM-BNW	Filed 10/4/19 [11]; Granted 10/9/19 [13]
Giambra v. C. R. Bard, Inc., et al.	2:19-cv-01580-APG-BNW	Filed 10/4/19 [16]; Granted 10/7/19 [18]
Rogers v. C. R. Bard, Inc., et al.	2:19-cv-01581-APG-BNW	Filed 10/4/19 [14]; Granted 10/7/19 [17]
Hammes v. C. R. Bard, Inc., et al. Dismissed w/o Prejudice (3/11/2020)	2:19-cv-01588-RFB -BNW	Filed 10/4/19 [15]; Granted 10/9/19 [17]
Kunkle v. C. R. Bard, Inc., et al. Dismissed w/o Prejudice (2/5/2020)	2:19-cv-01871-APG-BNW	Filed 11/15/19 [16]; Granted 11/15/19 [18]
Collins v. C. R. Bard, Inc., et al.	2:19-cv-01864-RFB-BNW	Filed 11/15/19 [11]; Granted 11/25/19 [18]
Christensen v. C. R. Bard, Inc., et al.	2:19-cv-01883-RFB-BNW	Filed 11/15/19 [14]; Granted 11/25/19 [20]
Wilson-Davis v. C.R. Bard, Inc. Dismissed w/o Prejudice (2/7/2020)	2:19-cv-01881-JCM-BNW	Filed 11/15/19 [9]; Granted 11/22/19 [13]
Torres v. C. R. Bard, Inc., et al.	2:19-cv-01582-KJD-BNW	Filed 10/4/19 [14]; Granted 11/13/19 [19]
Derrico v. C. R. Bard, Inc., et al.	3:20-cv-00246-MMD-BNW	Filed 07/20/20 [36]; Granted 7/21/20 [37]
Gita v. C. R. Bard, Inc., et al. Dismissed with Prejudice (1/12/2021)	3:20-cv-00252-MMD-BNW	Filed 07/20/20 [31]; Granted 7/21/20 [32]
McCown v. C. R. Bard, Inc., et al.	2:20-cv-00603-RFB-BNW	Filed 07/20/20 [30]; Granted 7/22/20 [31]
Harris v. C. R. Bard, Inc., et al. Dismissed with Prejudice (2/8/2021)	2:20-cv-00612-JCM-BNW	Filed 07/20/20 [24]; Granted 7/27/21 [25]
Lynch v. C. R. Bard, Inc., et al. Dismissed with Prejudice (1/14/2021)	2:20-cv-00616-KJD-BNW	Filed 07/20/20 [26]; Granted 7/22/20 [27]

EXHIBIT C

EXHIBIT C

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

MICHAEL EDGING,

Plaintiffs,

CASE NO. #2:21-cv-00322-RFB-BNW

v.

C. R. BARD, INCORPORATED and BARD
PERIPHERAL VASCULAR,
INCORPORATED,

Defendants.

**AFFIDAVIT IN SUPPORT OF
VERIFIED PETITION FOR
PERMISSION TO PRACTICE IN THIS
CASE ONLY BY ATTORNEY NOT
ADMITTED TO THE BAR OF THIS
COURT AND DESIGNATION OF
LOCAL COUNSEL**

STATE OF COLORADO)
)
COUNTY OF DENVER)

ss:

I, CASEY SHPALL, being first duly sworn upon my oath, depose and state as follows:

1. I file this Affidavit pursuant to Local Rule IA 11-2(f)(2). I am an attorney with the law firm of Greenberg Traurig, LLP ("GT"). GT was retained by Defendants. R. Bard, Inc. and Bard Peripheral Vascular, Inc. (collectively "Defendants" or "Bard") to provide them legal representation for the many cases remanded to this District, and hundreds of others remanded in other states, from the Multi-District Litigation proceeding styled *In re: Bard IVC Filter Litigation*, No. 2:15-MD-02641-DGC, pending before Senior Judge David Campbell of the District of Arizona (the "MDL").

To date, there have been five rounds of remands from the District of Arizona MDL to various federal district courts, including Nevada. More remands are expected in the future. In the fifth round of remands, seven cases were remanded to this District. I am requesting permission to practice in three of these recently remanded cases.

1 2. I am a member in good standing of the State Bar of Colorado, where I regularly
2 practice law. I am also admitted to practice before the United States District Court for the
3 District of Colorado, several U.S. Circuit Courts of Appeal, and the U.S. Supreme Court. *See*
4 Verified Petition, No. 4.

5 3. I am co-counsel in this action and several of the other MDL remands to this
6 Court with Eric W. Swanis, who is a member of the State Bar of Nevada and a GT shareholder
7 who resides and practices law in Nevada.

8 4. Due to the number and timing of the MDL remands to this Court, I have filed
9 numerous applications to practice *pro hac vice* before this Court under Local Rule IA 11-2.
10 I have identified all actions in which I have filed *pro hac vice* applications to appear as counsel
11 during the past three years. *See* Verified Petition, Exhibit B. All these actions are remands
12 from the MDL.

13 5. My firm has extensive experience in medical device products liability actions
14 and represents Bard in remands of IVC filter litigation across the country. I also have had
15 extensive interactions with client representatives concerning the facts underlying this matter
16 and am familiar with the facts and client-specific legal strategies pertinent to this litigation.

17 6. The granting of my Verified Petition serves the ends of justice by ensuring that
18 the interests of Bard are thoroughly represented by the persons most knowledgeable about the
19 litigation.

20 7. I therefore submit this Affidavit to establish special circumstances and good
21 cause to permit Bard to be defended in this matter by its counsel of choice. In my judgment,
22 Bard would be deprived of these benefits if I were unable to represent it in this litigation.

1 8. For all foregoing reasons, there are special circumstances and good cause that warrant
2 the granting of my Verified Petition.

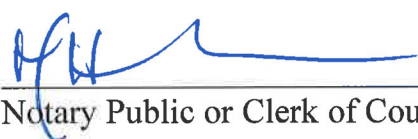
3
4 FURTHER YOUR AFFIANT SAYETH NAUGHT.

5 DATED this 23rd day of March 2021.

6 
7 CASEY SHPALL, ESQ.

8
9 SUBSCRIBED AND SWORN to before me this

10 23rd day of March, 2021.

11 
12

13 Notary Public or Clerk of Court

MELISSA HOPE WATKINS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20074022558
MY COMMISSION EXPIRES JULY 25, 2023